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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

In re:	Bankruptcy No. 17-25059
	(Chapter 7)
JARED Y. WEBB,	
Debtor.	Hon. Joel T. Marker

TD AUTO FINANCE LLC'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY

TD Auto Finance LLC ("TD Auto") pursuant to Rule 4001, Rules of Bankruptcy Procedure, moves this court for its order granting relief from the automatic stay as to certain property described herein, and represents as follows:

1. TD Auto is a creditor of the Debtor.
2. Debtor, Jared Y. Webb, is an individual residing in the State of Utah.
3. Debtor filed a petition in this Court under Chapter 7 of the Bankruptcy Code on June 9, 2017.

4. On or about June 20, 2012, Debtor executed and delivered to National Auto Plaza ("National Auto"), a Retail Installment Contract and Security Agreement (the "Contract"), a copy of which is attached hereto as Exhibit "A" and by this reference made a part hereof.

5. By signing the Contract, Debtor granted National Auto a purchase money security interest in the following motor vehicle:

One 2010 Ford Mustang GT,
Vehicle Identification No. 1ZVBP8CH2A5177221

(the "Vehicle").

6. National Auto assigned its interest in the Contract to TD Auto and TD Auto is the holder thereof.

7. TD Auto has a security interest in the Vehicle, which security interest has been perfected by the notation of such lien upon the certificate of title of the Vehicle, a copy of which is attached hereto as Exhibit "B", and by this reference made a part hereof.

8. Debtor is in default of the Contract by reason of failure to make payments when due. The amount of the delinquency under the Contract is \$9,976.33.

9. TD Auto repossessed the Vehicle prior to the filing of Debtor's Chapter 7 petition and TD Auto is in possession of the Vehicle.

10. The Vehicle is a depreciating asset. TD Auto does not have and has not received adequate protection for its interest in the Vehicle.

11. As of June 23, 2017, the NADA retail value of the Vehicle was \$14,000.00. The payoff was \$18,153.79.

12. Debtor has no equity in the Vehicle.

13. The Vehicle is not necessary to an effective reorganization by Debtor.
14. Debtor does not seek and therefore has no reasonable prospect for reorganization.
15. If TD Auto is not permitted to immediately sell the Vehicle pursuant to its security interest, it will suffer irreparable injury, loss, and damage.
16. The automatic stay should be terminated, effective immediately upon entry of the order and not subject to the stay of order of Rule 4001 of the Federal Rules of Bankruptcy Procedure, because TD Auto is in possession of the Vehicle, and there is no just reason for delaying termination of the stay.

WHEREFORE, TD Auto moves that the stay pursuant to 11 U.S.C. § 362 be lifted to permit it to sell and otherwise realize upon its security interest in the Vehicle, and to give all notices and take such action as is necessary to perfect its rights to file or amend its claim to assert any deficiency remaining upon sale of the Vehicle, that such order be effective immediately upon entry, and that it be granted such other and further relief as the Court deems just.

DATED this 27th day of June, 2017

SNOW, CHRISTENSEN & MARTINEAU

/s/ P. Matthew Cox

P. Matthew Cox

Attorneys for TD Auto Finance LLC

CERTIFICATE OF SERVICE

I, P. Matthew Cox, attorney for TD Auto Finance LLC, hereby certify that on the 27th day of June, 2017, I caused to be served a true and correct copy of the foregoing TD AUTO FINANCE LLC'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY, Bankruptcy No. 17-25059, which was filed electronically, and served upon the following parties in the manner indicated:

Kenneth A. Rushton (via ECF)
Chapter 7 Trustee
P. O. Box 212
Lehi, UT 84043

Theodore Floyd Stokes (via ECF)
2072 N. Main Street, Suite 102
North Logan, UT 84341

Jared Y. Webb (via U.S. Mail)
1884 East 2900 South
Vernal, UT 84078

/s/ P. Matthew Cox

EXHIBIT A

UT-102 2010

Summary
No.
Date 06/20/2012

Total Sale Price
The total cost of your purchase on credit, including your down payment of

\$ 0.00
\$ 44534.88

RECEIVED JAN 10 1970
Page 3 of 3

EXHIBIT B

UTAH CERTIFICATE OF TITLE

ORIGINAL TITLE



Title Number UT12061167

Vehicle Type PASSENGER Year 2010 Make FORD
VIN/HIN 1ZVBP8CH2A5177221
Cylinders 8 Fuel GASOLINE

Model MUSTANG GT
2nd VIN
Odometer 13,477

Bdy Sty COUPE

Date Issued 07/31/2012



TD AUTO FINANCE LLC
PO BOX 997551
SACRAMENTO CA 95899-7551

Owner Information

JARED WEBB
455 N 1150 W
VERNAL UT 84078-3309

Lienholder Information

TD AUTO FINANCE LLC
PO BOX 997551
SACRAMENTO CA 95899-7551

ODOMETER READING REFLECTS THE ACTUAL MILEAGE

Request For Lien Change

Complete this section. Send the title and required fee to the Division of Motor Vehicles. Please check one box.

☐

Issue a title free of liens

☐

Issue a title showing the following as the NEW LIEN HOLDER

LIEN RELEASE - Signature of Lien Holder (releasing interest)

X

Vehicle owner's signature requesting lien change

Title of signer

New lien holder's name

Date

Address

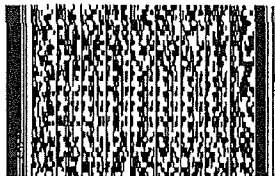
City

State ZIP Code

Division of Motor Vehicles
UTAH STATE TAX COMMISSION
210 North 1950 West
Salt Lake City, Utah 84134



TC-127 Rev. 01/09 CDR



B 6336062

ANY ALTERATION OR ERASURE VOIDS THIS TITLE